IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 19647 of 2005

Between:

Kainat Khan D/o. Rafeeq Ahmed Khan Rep.by her Meteranal Grand Father Mr. Mubashir Ahmed S/o. Mohd. Abdul Lateef, Age(70), R/o. 17-4-748/A, Kaman Shaik Faiz, Yakuth Pura Hyderabad.

..... PETITIONER

AND

The Regional Passport Officer, Hyderabad.

.....RESPONDENT

THE HONOURABLE SRI JUSTICE K.C.BHANU

W.P.NO. 19647 OF 2005

ORDER:

When the application of the petitioner for correction of her date of birth entered in the passport is not entertained, this writ petition is filed, seeking Writ of Mandamus, directing the respondent to receive the application of the petitioner for the correction of date of birth as 20-6-1999 in place of 25-7-1999.

The petitioner, being a minor, is represented by her Maternal-Grand- Father. It is the case of the petitioner that she obtained passport and her date of birth was wrongly entered in the passport as 25-07-1999. It is the further case of the petitioner that her correct date of birth is 20-06-1999 and the same is evident from birth certificate issued by the Municipal Corporation of Hyderabad.

In exercise of powers under Section 24 of the Passport Act 1967, Passport Rules,1980 are framed. Rule 5 of the Passports Rules 1980 provides that in case of error, the applicant is permitted to make fresh application, enclosing relevant material in support of his/her claim, for obtaining fresh passport with correct date of birth. As such, there cannot be any valid reason in refusing to entertain the application of the petitioner.

In that view of the matter, I dispose of the Writ Petition, permitting the petitioner to submit an application to the respondent authorities within a period of four weeks from the date of receipt of this order, for issuance of fresh passport with correct date of birth as 20-06-1999, along with necessary fee, by enclosing evidence in support of her claim. If such an application is filed, the respondent authorities are directed to receive the same and verify the records regarding date of birth of the petitioner. If the respondent is satisfied that there is an error crept in the passport issued to the petitioner earlier, with regard to her date of birth, fresh passport with correct date of birth be issued to the petitioner, subject to condition of surrendering the passport issued earlier.

Subject to the above direction, the Writ Petition is disposed of.

No costs.

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K.C.BHANU,J

06-09-2005

Stp